

ASSEMBLY BILL 186 (LRB -1004)

An Act to create 941.318 of the statutes; relating to: salvinorin A and providing a penalty.

2009

04-02.	A.	Introduced by Representatives Cullen, Staskunas, Richards, Gunderson, Berceau, Nass, Kleefisch, Bies and Spanbauer ; cosponsored by Senators Plale, Taylor and Lehman .	
04-02.	A.	Read first time and referred to committee on Public Health	122
07-14.	A.	Public hearing held.	
08-25.	A.	Executive action taken.	
09-08.	A.	Report passage recommended by committee on Public Health, Ayes 7, Noes 0	365
09-08.	A.	Referred to committee on Rules	365
09-15.	A.	Placed on calendar 9-17-2009 by committee on Rules.	
09-17.	A.	Read a second time	388
09-17.	A.	Ordered to a third reading	388
09-17.	A.	Rules suspended	388
09-17.	A.	Read a third time and passed	388
09-17.	A.	Ordered immediately messaged	388
09-18.	S.	Received from Assembly	313
09-23.	S.	Read first time and referred to committee on Public Health, Senior Issues, Long-Term Care, and Job Creation	334

2010

01-27.	S.	Public hearing held.	
01-28.	S.	Executive action taken.	
02-02.	S.	Report concurrence recommended by committee on Public Health, Senior Issues, Long-Term Care, and Job Creation, Ayes 5, Noes 0	534
02-02.	S.	Available for scheduling.	
02-10.	S.	Placed on calendar 2-16-2010 pursuant to Senate Rule 18(1)	553
02-16.	S.	Read a second time.	
02-16.	S.	Ordered to a third reading.	
02-16.	S.	Rules suspended.	
02-16.	S.	Read a third time and concurred in .	
02-16.	S.	Ordered immediately messaged.	
02-16.	A.	Received from Senate concurred in.	

2009

ENROLLED BILL

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ADOPTED DOCUMENTS:

☒ Orig ☐ Engr SubAmdt

09-1004/1

Amendments to above (if none, write "NONE"):

None

Corrections - show date (if none, write "NONE"):

None

Topic

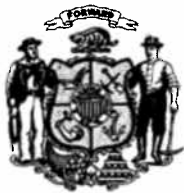
Rel

2-16-2010

Date

J. Smith

Enrolling Drafter



2009 ASSEMBLY BILL 186

April 2, 2009 - Introduced by Representatives CULLEN, STASKUNAS, RICHARDS, GUNDERSON, BERCEAU, NASS, KLEEFISCH, BIES and SPANBAUER, cosponsored by Senators PLALE, TAYLOR and LEHMAN. Referred to Committee on Public Health.

1 **AN ACT** *to create* 941.318 of the statutes; **relating to:** salvinorin A and providing
2 a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits manufacturing, distributing, or delivering salvinorin A, a psychotropic ingredient in the plant *Salvia divinorum*, with the intent that it be consumed by a person. However, the prohibition does not apply to manufacturing a form of salvinorin A that is recognized by the U.S. Food and Drug Administration as a homeopathic drug and that may be obtained from a retail store without a prescription, or to distributing or delivering such a form of salvinorin A to a person who is 18 years of age or older. The penalty for violating the prohibition is a fine not to exceed \$10,000.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 941.318 of the statutes is created to read:
4 **941.318 Salvia divinorum.** (1) In this section:
5 (a) "Deliver," with respect to salvinorin A, has the same meaning given in s.
6 961.01 (6) with respect to a controlled substance or controlled substance analog.

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(b) “Distribute,” with respect to salvinorin A, has the same meaning given in s. 961.01 (9) with respect to a controlled substance or controlled substance analog.

(c) “Manufacture,” with respect to salvinorin A, has the same meaning given in s. 961.01 (13) with respect to a controlled substance or controlled substance analog.

(2) Except as provided in sub. (3), whoever manufactures, distributes, or delivers salvinorin A with intent that it be consumed by an individual may be fined not more than \$10,000.

(3) (a) Subsection (2) does not apply to the manufacture of any dosage form of salvinorin A that may be obtained from a retail establishment without a prescription and that is recognized by the U.S. Food and Drug Administration as a homeopathic drug.

(b) Subsection (2) does not apply to the distribution or delivery to an individual who is 18 years of age or older of any dosage form of salvinorin A that may be obtained from a retail establishment without a prescription and that is recognized by the U.S. Food and Drug Administration as a homeopathic drug.

(END)